

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Sheldon Owens,	)	Case No.:
	)	
	)	
	)	
	)	
	Plaintiff,	)
vs.	)	<b>NOTICE OF REMOVAL</b>
	)	
Sallie Mae, Inc.,	)	
	)	
	Defendant.	)
	)	

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**NOTICE OF REMOVAL**

Defendant Sallie Mae, Inc. (“SMI”), by and through its undersigned counsel, and pursuant to 28 U.S.C. § 1446, notices the removal of the civil action, currently unassigned, filed in the District Court of the Fourth Judicial District, Hennepin County, Minnesota (“State Court”), and styled as *Sheldon Owens v. Sallie Mae, Inc.*, to the United States District Court for the District of Minnesota, Division Four, Minneapolis. This Court has federal question jurisdiction under 28 U.S.C. § 1331. The grounds for removal are as follows:

**I.**

Sheldon Owens (“Plaintiff”) commenced his civil action by serving his Complaint via United States mail on April 15, 2013. In his Complaint, attached hereto as Exhibit A, Plaintiff alleges SMI is liable under the provisions of the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681. Ex. A, Compl., ¶ 1.

**II.**

This Court has jurisdiction over this civil action pursuant to 28 U.S.C. § 1331, which provides that, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” The FCRA is a federal law which creates private causes of action for conduct which falls under the auspices of the act. *See* 15 U.S.C. § 1681 (n)–(o). Therefore, the State Court action is properly removed to this Court on the basis of federal question jurisdiction.

**III.**

Removal is timely pursuant to 28 U.S.C. § 1446(b) as this Notice of Removal is being filed within thirty (30) days of SMI’s receipt of Plaintiff’s Complaint, wherein Plaintiff first set forth a claim giving rise to federal question jurisdiction pursuant to 28 U.S.C. § 1331.

**IV.**

Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders served upon SMI in the State Court action are included with this Notice of Removal.

**V.**

Concurrent with the filing of this Notice of Removal, notice is being given to all parties, and a copy of this Notice of Removal is being filed with the Clerk of Court for the Fourth Judicial District in and for Hennepin County, Minnesota.

WHEREFORE, Defendant, Sallie Mae, Inc., gives notice that the civil action, currently unassigned, filed in the District Court of the Fourth Judicial District, Hennepin County, Minnesota and styled as *Sheldon Owens v. Sallie Mae, Inc.*, is removed from there to the docket of this Court for trial and determination as provided by law. Sallie Mae, Inc. prays that this Court enters such orders and issues such processes as may be necessary and proper to bring before it a copy of all records and proceedings in State Court and thereupon proceed with this civil action as if it had originally commenced in this Court.

Dated: May 15, 2013

WINTHROP & WEINSTINE, P.A.

By s/Justice Ericson Lindell  
Justice Ericson Lindell (MN Bar #312071)

225 South Sixth Street  
Suite 3500  
Minneapolis, MN 55402  
Tel: (612) 604-6400  
Fax: (612) 604-6800  
[jlindell@winthrop.com](mailto:jlindell@winthrop.com)

*Attorneys for Defendant*